436 Reglements pratiq. t. 3

NEW TARIFFS OF THE ATTORNIES

FOR THE

SUPERIOR AND CIRCUIT COURTS,

OF

1868.

Done on a portable form and so arranged as to exhibit at one view a comparative table of both Tariffs.

BIBLIOTHEQUE S.M.L. QUEBEC.

Carefully prepared by

MM. KERNICK & DE MONTIGNY.

Montreal:
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1869.

SUPERIOR COURT AND CIRCUIT COURT.

TABLE OF FEES.

CANADA,
PROVINCE OF QUEBEC. } SUPERIOR COURT AND CIRCUIT COURT.

IT IS HEREBY ORDERED that the following fees be allowed to the Counsel, Advocates and Attornies practising in the Superior and Circuit Court, and to the Bailiffs of said S. C. in actions to be instituted, and upon other proceedings to be commenced from and after the day on which the present Tariff shall be entered by the Prothonotary and Clerk of said Courts in the Registers of the same as by Law directed; and the Tariff of Fees for the Counsel, Advocates and Attornies, practising in these Courts, and for the Bailiffs of the said S. C., the original whereof was entered in the Registers of the said Courts, at the City of Quebec, on the twentieth day of July 1852, is hereby repealed in so far as regards actions to be instituted, and other proceedings to be commenced from and after the day on which the present Tariff shall be so entered in the Registers of these Courts.

SUPERIOR COURT AND CIRCUIT COURT. (IN CASES OVER $60.)

SUPERIOR COURT ONLY.

First class consists of :

1o. Personal actions when the value in contest exceeds $400.
2o. Real and mixed actions not otherwise specially provided for.
3o. Actions *en séparation de corps et de biens* et *en déclaration de paternité*.
4o. Proceedings by *Mandamus*, *scire facias*, *Requête libellée* or *Prohibition*, or others, under Nos. 997 to 1033 of the Code of Civil *Procédure* and upon like proceedings.

Second class consists of :

1o. Personal Actions when value in contest does not exceed $400.
2o. Actions *en séparation de biens*.
3o. Actions or petitions *en destitution de tutelle* or *curatelle*.
4o. All actions not included in 1st class and not otherwise specially provided for.

CIRCUIT COURT ONLY.

In cases over $60.

Sup. Court		Circuit Court.			
To Plff's Atty.		1st Class over $100.		2d Class over $60 to $100.	
1s Class	2d Class				
$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.

ACTIONS NOT CONTESTED.

and not otherwise specially provided for.

ACTIONS NOT CONTESTED.

1o. If the Action be settled before the return			18 00	14 00	10 00	0 00	6 00	0 00
2o. If the Action be settled, or if Defendant confess judgment, on the day of the return, or on the next following juridical day			20 00	16 00	12 00	0 00	8 00	0 00
3o. If the Action be settled, or if the Defendant confess judgment, after the delay mentioned in the next preceeding number, but before plea fyled, or inscription for *Enquête*, or inscription for final hearing on the merits where no Enquête is necessary			22 00	18 00	15 00	0 00	10 00	0 00
4o. If the Action be settled after the inscription on the *Rôle des Enquêtes*, but before the closing of the *Enquête*; or if the the Action be settled after inscription for final hearing on the merits, where no *Enquête* is necessary, or if judgment be rendered on such last mentioned inscription			25 00	20 00	16 00	0 00	12 00	0 00
5o. If the action be settled after *Enquête* closed, or if judgment be rendered in such Action after *Enquête*			30 00	24 00	20 00	0 00	16 00	0 00
6o. In any of the above cases in which the Defendant may have appeared by Attorney—to Defendant's Attorney on actions returned, or on *congé défaut*			6 00	5 00	4 00	0 00	3 00	0 00

ACTIONS CONTESTED.

	SUPERIOR COURT AND CIRCUIT COURT.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	SUPERIOR COURT.				CIRCUIT COURT.			
				PLFF.	DFT.	PLFF.	DFT.	PLFF.	DFT.	PLFF.	DFT.
				$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.
7o. If the action be settled after the filing of any plea, other than a plea to the merits and without *Enquête* on such plea, or if the action be dismissed on such plea and without *Enquête*				30 00	25 00	25 00	20 00	20 00	15 00	12 00	10 00
8o. If the Action be settled after the filing of a plea to the merits, but before the inscription on the *Rôle des Enquêtes*, where an Enquête is necessary, or before the inscription for final hearing, where no Enquête is necessary			If there be an *Enquête* on any such plea an additional fee of $4 to each attorney.	40 00	30 00	30 00	25 00	24 00	20 00	15 00	12 00
9o. If the Action be settled after the inscription on the *Rôle des Enquêtes*, but before the inscription for final hearing				50 00	40 00	40 00	35 00	28 00	22 00	18 00	14 00
10. If the Action be settled after the inscription for final hearing, or if Judgment be rendered on such hearing				60 00	50 00	50 00	40 00	30 00	24 00	20 00	16 00

11. The costs in Actions *en Revendication* for moveables to be taxed as against the Plaintiff according to the value of the property claimed, and as against the Defendant according to the value of the property for which Judgment is rendered.

12. Hypothecary actions and actions for seigniorial dues where the title of the seignior is not contested, are to be considered in respect of costs as merely personal actions.

The costs in actions *en reddition de compte*, to be taxed as against the Plaintiff, according to the amount demanded, and as against the Defendant, according to the amount for which he is accountable.

In any action of ejectment under the Lessor and Lessee act not including actions in which either rent is or damages are sued for (which actions are provided for by statute,) the costs to be as in a personal action (in the Superior Court or Circuit Court as the case may be) for a sum of money equal to the value of the premises leased for the year current at the time of the institution of the action; or, if the lease shall have expired, then for the last year to which the lease extended.

In actions of damages for personal wrongs (excepting in actions in which the Court ..... shall find the damages to be under forty shillings sterling) the cost to be taxed as of the class to be determined by the final Judgment.

13o.

14o.

15o.

.....Or Jury.....

16o. In actions for sums of money under $200 instituted by writ of *capias* ad *respondendum*, in the S. C. the costs to be as in actions over $100 in C. Court.

17o. In any case where the Defendant sever in their Defense the Plaintiff's Attorney shall receive on each additional issue one half of the sum which he would have received had there been but one issue, the whole amount to be payable in equal proportions by the party or parties to each issue.

In suits in the C. Court under $100, for fees of office, duties, rent, revenues or sums of money, payable to the crown, or which relate to any titles to lands or tenements, to seigniorial or other annual rents, and such like matters and things, whereby rights in future may be bound; and in hypothecary and mixed actions, under $100, those shall except when otherwise expressly provided for, be the same fees as in merely personal actions, according to the amount, or value of the thing awarded, unless there be an evocation by either of the parties; and then the fees, on the evocation shall be the same as in actions of the 2d class in the Superior Court, which costs shall include all services in both courts.

ADDITIONAL FEES.

SUPERIOR COURT AND CIRCUIT COURT.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	Sp. Court		Circuit Court. 1st. Class over $100		Circuit Court. 2d. Class over $60 to $100	
			$	cts.	$	cts.	$	cts.
For the second and every additional copy of the Plaintiff's Dclaration.....	18	In all cases over $60. 11.	1	00	1	00	1	00
Affidavit to obtain.....	19.....*capias ad respondendum*.....	12.						
saisie revendication, saisie arrêt, saisie gagerie.....	.....Writ of certiorari or other pre-							
.....where affidavit required and action commenced by such process (this fee not to be allowed for any affidavit referring in general terms to the facts setforth in the petition or pleading in support of which such affidavit is made	gative writ.....							
If any Writ.....			3	00	2	00	2	00
of attachment against moveables be sued out at any time after the institution of the action.....	20.....*of capias ad respondendum*...	13.						
To the attorney suing out the same	.....(Affidavit included.)							
	if action of 1st. class.....		12	00	3	00	4	00
	if action of 2d. class.....		10	00				

On any *Exception déclinatoire, dilatoire* or *péremptoire à la forme*, or *Défense au fonds en droit*, overruled. To the

21.

To the attorney suing out the same	(Amdavit included.) if action of 1st. class.		12	00	8	00	4	00
	if action of 2d. class.		10	00				
On any *Exception déclination, dilatoire* or *péremptoire à la forme*, or *Défense au fonds en droit, overruled.* To the Plaintiff's attorney	21.	14						
To the Defendant's attorney			8	00	4	00	2	00
On any other plea, overruled, after law issue raised upon it.	22.	15.	6	00	4	00	2	00
To the successful party			8	00	4	00	2	00
To the opposite party			6	00	4	00	2	00
On any exception dilatoire maintained.	23.	16.						
To the Defendant's attorney			15	00	5	00	4	00
To the Plaintiff's attorney			10	00	3	00	2	00
		The fees allowed in the foregoing numbers 14 and 16 are exclusive of the fee allowed when an enquête takes place, upon a priliminary plea.						
If the Plaintiff be permitted to amend his déclaration after the filing of an *exception à la forme.*	24	17.						
To the Defendant's attorney			7	00	2	00	2	00
If the plaintiff be permitted to amend his declaration after the filing of a defense an *fonds en droit.*		18.						
To the Defendant's attorney			10	00	4	00	4	00
For all proceedings on any petition motion or rule not specialy provided for upon which costs are ordered to to be paid	26	19.						
To the party to whom costs are awarded (same fee on motion or other proceedings to call in creditors including affidavits.			3	00	2	00	1	00
		When the *Enquête* in any contested case is continued party bound to proceed not being ready, to adverse party			1	00	1	00
For all proceedings respecting the putting in of security.	27. For putting in security for cost To each attorney.							
To each attorney	28. .....in any case not otherwise provided for.		3	00				
		20.						
	29 *Enquête* fee in any contested cause. tried by Jury or Judge, to Counsel [other than attorney of Record] filing appearance at, and actually conducting *Enquête*		5	00	2	00	1	00
	30. In cases to be tried by Jury To each attorney for preparation of factum		10	00				
	To each attorney for statement of facts required by art. 353, *code de procédure*, including copy for adverse party		8	00				
	31. In every case of trial by Jury where a motion is made for a new trial or in arrest of judgment, *non obstante veredicto*, or for non suit, where all, or any of these remedies are sought, one fee only to be allowed for the whole of		3	00				

SUPERIOR COURT AND CIRCUIT COURT.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	Sp. Court		Circuit Court. 1st Class over $100		Circuit Court. 2nd Class over $60 to $100	
			$	cts.	$	cts.	$	cts.
	the proceedings in each such case up to judgment therein. To each attorney							
	If action of 1st class		12	00				
	If action of 2nd class		10	00				
	32. On any hearing on the merits ordered in a contested action, To each attorney		10	00				
		21. On any re-hearing upon the merits ordered by the Court in any contested cause. To each attorney			5	00	3	00
On any re-hearing ordered upon any pleading— To each Attorney	33.		6	00	3	00	2	00
On any re-hearing ordered upon any rule or other proceeding not specially provided for. To each Attorney	34.		3	00	2	00	1	00
For all proceedings on a *reprise d'instance*, by petition or motion. To the Attorney *reprenant l'instance*	35.	22.	10	00	5	00	4	00
To the Attorney of the opposite party			5	00	3	00	2	00
Costs as if the *reprise d'instance* be contested, or if it be made by action, and also on proceedings to have judgment declared executory, or *jugement commun*.	36. .....in an action of second class	.....as to the original action						
On every copy of subpœna certified by the Attorney	37.	23.	0	10	0	10	0	10
Suing out a writ of execution	38.	24.	2	00	1	00	1	00
Suing out a writ of *saisie arêt* after judgment if declaration be not contested	39. If action of 1st class	25.	10	00	5	00	3	00
	If action of 2nd class		7	00				
For every Tiers-saisi [above three.]	40.		1	00	1	00	0	50
If contested, the costs to be the same as in a contested personal action; the class to be determined by the amount of judgment against Tiers-saisi, if the costs be payable by him, and by the amount claimed by the contestation, if the costs be payable by the party contesting the declaration.								
For all proceedings for a *contrainte par corps*, or for the imprisonment of any party, or for a writ of possession	41o.	26o.						
	.....or for an order for a sale in consequence of a *folle enchère*, or for a *scellé* or for the removal thereof, and for all proceedings on any application either before or after Judgment to liberate any person arrested for debt, otherwise than by giving bail							
.....or to obtain possession of	.....property	.....goods						
.....seized or contesting	.....saisie-arret	.....Attachment						
before judgment on ground that allegations of affidavit are untrue								
To the attorney of appliquant, if no cause shewn	.....or in cases of *Rebellion à justice*.		6	00	4	00	3	00
If cause shewn but without *enquête*. To the attorney of appliquant		27o.						

are untrue			Attachment					
To the attorney of appliquant, if no cause shewn		or in cases of *Rebellion à justice.*		6	00	4	00	3	00

If cause shewn but without *enquête.*								
To the attorney of appliquant		27o.		10	00	6	00	4	00
To the attorney shewing cause				6	00	4	00	3	00
If an *enquête* be necessary on any of the proceedings mentioned in the foregoing number	42o.	28o.							
or on any preliminary plea or upon any other incidental proceeding not specially provided for		26 and 27							
To each attorney an additional fee of				8	00	6	00	4	00
	43o. When the Enquête, in any contested cause is continued, party bound to proceed not being ready, fee to adverse party (where costs ordered to be paid)								
	44o. For cross examing every witness over five on each side in any contested case			2	00				
	45o. Preparing statement of facts			6	00				
	Preparing answer			4	00				
	46o. For the special application required by article 218 of the Code of Civil Procédure								
To *commissaire enquêteur* for performing all services in any case referred to him not exceeding the examination of three witnesses	47o.	45o.		16	00	8	00	6	00
For each witness above three	48o.			2	00	1	00	0	00
	49o. For all proceedings for bringing to sale of property of minors			20	00				
For prosecuting to judgment a report of distribution not contested	50o.	29o.							
For all proceedings upon a contestation of a report of distribution, if the contestation be not withdrawn or acquiesced in before the inscription for final hearing on the merits, when the amount of the collocation contested is above	51.	30.		10	00	5	00	3	00
To the attorney contesting	..$400.	$100.							
To the attorney claiming				18	00	10	00	6	00
If the amount of the collocation contested	52. .....exceed $200, and do not exceed $400.	31.....does not exceed $100.		14	00	8	00	0	00
To the attorney of the party contesting				15	00	6	00	0	00
To the attorney of the party claiming				10	00	4	00	0	00
	53. If the amount of the collocation contested exceed $80 and do not exceed $200.								
	To the attorny of the party contesting			10	00				
	To the attorny of the party claiming			8	00				
	54. Do Do Do not exceed $80.								
	To atty contesting			8	00				
	To atty claiming			6	00				
If the contestation be withdrawn or acquiesced in before the inscription for final hearing	55. .....on such contestation one half of the above fees according to the class.	32. ...on the merits one half of the above fees. No. 31.							

SUPERIOR COURT AND CIRCUIT COURT.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	Sp. Court		Circuit Court. 1st Class over $100		Circuit Court. 2nd Class over $60 to $100.	
			$	cts.	$	cts.	$	cts.
For all proceedings after judgment ordering an account to be rendered in any action *en redition de compte* if the account be acquiesced in without *débats*.	56.	33						
To each attorney			10	00	6	00	4	00
If the account be contested the costs to be the same as in a contested personal action, the class to be determined by the amount for which the *rendant compte* shall be declared accountable beyond the amount admitted to be due by the account fyled, if the costs be payable by the *rendant compte*, and by the amount claimed by the *débats de compte*, if the costs be payable by the *oyant compte*.	57	34.						
	58. In actions *en séparation de biens* or *en séparation de corps et de biens*, for all proceedings to liquidate the matrimonial rights of the Plaintif.							
	If not contested to Plff's atty		10	00				
	If contested. To each atty		20	00				
For all proceedings to cause a curator to be appointed to a *délaissement* in any hypothecary action	59	35.						
		And to the curator	5	00	3	00	3	00
					3	00	3	00

INTERVENTIONS.

Costs on interventions and incidental cross demands to be the same as on original demands of same class.	60.	36.						
	61. For all proceedings on a licitation of *one heritage* or more after judgment rendered		40	00				
	62. On *désaveu*, *requête civile*, *Tierce opposition*, costs to be the same as in original demand of same class.							

Oppositions afin de conserver non contested.

	63. If the sum do not exceed $80		8	00				
	64. If it exceed $80 and not exceed $200		10	00				
	65. If it exceed $200 and do not exceed $400		14	00				
	66. If it exceed $400		16	00				
If contested, costs to be the same as in personal actions for the same amount in the Superior Court or Circuit Court, as the case may be. excepting [for the Superior Court] that the costs upon the contestation of any opposition for a sum not exceeding $60 shall be the same as in contested actions in the Circuit Court above $60 and under $100.	67.	37. If the sum due be less than $100			4	00		
		If the sum due be $100 or over			6	00		
		38.						

And excepting for the appeable side Circuit Court : that

as in contested actions in the Circuit Court above $60 and under $100.

And excepting for the appeable side Circuit Court; that the costs on contestation of any opposition for a sum not exceeding $60 shall be the same as in a contested action for a sum exceeding $60 and under $100. On any opposition *afin d'annuler, afin de distraire*.....	68.	39.						
.....if not contested.....	.....*afin de charge* or any other opposition.....							
	69. If contested, costs to be as in actions of the 2nd class..	40. If contested the same fees as in original action.	15	00	6	00	4	00
	RATIFICATION OF TITLE.							
	FOR ALL PROCEEDINGS TO OBTAIN A SENTENCE OF RATIFICATION OF TITLE.							
	70. To the Petitioner's Attorney if purchase money do not exceed $400.....		14	00				
	71. If purchase money exceed $400 and do not exceed $1000. Or if the consideration be not of a pecuniary nature.		20	00				
	72. If purchase money exceed $1000..		25	00				
	73. Fees on oppositions to sentence of Ratification of title and on contestations thereof to be the same as on oppositions to execution and contestation thereof.							
	EXPROPRIATIONS.							
	74. For all proceedings on behalf of a propriator expropriated to obtain an order for the payment over of the monies.....							
	If the value of the property expropriated exceed $400.....							
	If it does not exceed $400.....		16	00				
	For opposing successfully the homologation of a Report of Commissioners where a written appearence for that purpose shall have been put in and allowed.....		12	00				
	Where the value of the property respecting which the objection arises exceeds $400.....							
	Where it does not exceed.....		40	00				
			30	00				
	CERTIORARI.							
	75. If settled before the fyling of such Writ. To the Petitioner		10	00				
	If writ refused. To party shewing cause.....		6	00				
	76. If not settled before the filing of such Writ. To Petitioner.....		16	00				
	To Respondent.....		10	00				

Commissions Regatoires and Orders for the Examination of Witnesses.

SUPERIOR COURT AND CIRCUIT COURT.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	Sp. Court $	Sp. Court cts.	Cirt. C. $	Cirt. C. cts.
	77.	41.				
To the attorney suing out the same			5	00	2	00
	78.	42.				
For drawing Interrogatories or cross Interrogatories			4	00	3	00
To the attornies engaged where the writ or order is executed.						
For taking instructions, examining papers &c. To each attorney	79.	43.	5	00	4	00
For the examination in chief or cross examination of each witness	80.	44.	2	00	1	00
For the attorney prosecuting the execution of any such writ or ordér an additional fee of	81.	45.	4	00	3	00
	PROBATES, HABEAS CORPUS, &c.					
	82. For all Fees to obtain Probate of a will or writ of *Habeas corpus* without *Enquéte*		10	00		
	83. If Enquête takes place an additional fee of		8	00		
	For all fees to obtain appointment of tutor to minors, or curator to person or property, or for removal of interdiction, or for emancipation or any other such proceeding.					
	If not contested		5	00		
	If contested :					
	To Petitioners attorney		15	00		
	To adverse party		12	00		
	If *Enquéte* necessary on such contestation		8	00		
	On petition of curator &c., to render account including notices		4	00		
	EVOCATIONS.					
	84. If maintained the costs to be the same as in actions of the second class which costs shall included all services in both courts.					
	If rejected, to each attorney		5	00		
	INSCRIPTIONS EN FAUX.					
	85. To the attorney for direction for drawing a power of attorney		4	00		
	86. Attendance at *Procès verbal* of the *pièce arguée de faux*		4	00		
	87. If settled before *moyens de faux* are fyled each motion required by the Rules of practice, and also the declaration to be made by the defendant *en faux* as to whether he intends to avail himself of the docu-					

fyled each motion required by the Rules of practice, and also the declaration to be made by the defendant *en faux* as to whether he intends to avail himself of the document impeached shall be taxed as a motion according to the foregoing.					
No. 26.					
88. If settled after the *moyens de faux* are fyled, but before the answer, the fees of the attorney of plaintiff *en faux* shall be as on the No 1. of the Table, and the fees of the attorney of the defendant *en faux* shall be as in No. 6 of the table, and if the settlement take place at any subsequent stage of the proceedings or if judgment be rendered on such *Inscription en faux* the costs shall be as in the original demand, if settled at a like stage.					
CASES IN REVIEW.					
89. Under $400.					
If settled before hearing. To each Attorney		15	00		
90. After hearing. To each attorney		30	00		
91. In cases of $400 —or over.					
If settled before hearing		20	00		
After hearing		40	00		
92. Factum in Review—To each Attorney		6	00		
On appeal from Trinity House or other Tribunal, to Superior Court					
If contested :					
Attorney for Appellant		20	00		
Attorney for Respondent		12	00		
If not contested :					
Attorney for appellant		12	00		
	APPEALS.				
	46. On an appeal to the Circuit Court, if contested, to the appellant's attorney			14	00
	To the respondant's attorney			10	00
	47. If not contested :				
	To the Attorney of Appellant			10	00
	48. If appeal be dismissed or settled before final hearing on the merits. To the attorney of the appellant			7	00
	To the attorney of the Respondant			4	00
	CONTESTED ELECTIONS, CIRCUIT COURT.				
	49. On contestation of Elections of Municipal officers or school commissioners costs to be as in actions betwen $100 and $200				

SUPERIOR COURT AND CIRCUIT COURT.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	Sp. Court.	Cirt. Ct.
		Fees respecting writ of Certiorari.....		
		50. And on procedings to obtain probate to any will and for appointment of tutor to minors and curator to any person or property or otherwise or for removal of interdictions or emancipation, same in Circuit Court as in Superior Court.....		
		INSCRIPTION EN FAUX.		
		51. If settled before *moyens de faux* are filed, each motion required by the Rules of Practice, and also the declaration to be made by the Defendant en faux as to whether he intends to avail himself of the document impeached shall be taxed as a motion according to the foregoing No. 19.....		
		52. If settled after the *moyens de faux* are fyled, but before answer the fees of the attorney of the Plaintiff *en faux*, and the fees of the Defendant *en faux*, shall be as in No. 1, of the same table ; and if the settlement take place at any subsequent stage of the proceedings, or if Judgment be rendered, the costs shall be the same as on the original demand at a like stage.....		

CIRCUIT COURT.

CASES OF $60 OR UNDER.

TO THE ATTORNEY.

	1st Class. Actions $60 or under, but above $40.		2nd Class. Actions $40 or under, but above $25.		3rd Class. Actions $25 or under.	
	$	Cts.	$	Cts.	$	Cts.
1. On all proceedings in actions settled before return [except those on which additional fees are hereinafter allowed]—To the plaintiffs Attorney.....	2	50	1	50	1	00
2. On all proceedings except as aforesaid in actions settled after return and before contestation, or in which judgment shall be given on confession, or by default or *Exparte* without *Enquête*, that is to say, without the examination in Court of any witness or party.—To the Plaintiff's Attorney.....	4	00	2	00	1	50
And to Defendant's Attorney on actions returned or on *congé défaut*.....	2	00	1	50	1	00
3. On the same if the Judgment be given by default or *Exparte*, but with Enquête.—To the Plaintiff's Attorney.....	5	00	3	00	2	00
And to the Defendant's Attorney.....	2	00	1	50	1	00
4. On the same in actions settled or discontinued after contestation.—To the Plaintiff's Attorney.....	5	00	3	00	2	00
And to the Defendant's Attorney.....	4	00	3	00	1	50
5. On the same, when the Judgment shall be given after contestation.—To the Plaintiff's Attorney.....	6	00	3	50	2	50
And to the Defendant's Attorney.....	5	00	3	00	1	50
6. In all hypothecary or Mixed Actions settled before return, an additional fee.—To the Plaintiff's Attorney, $3.00.						
7. If settled after Enquête or if judgment be rendered, an additional fee.—To the Plaintiff's Attorney, $4.00.						
8. In actions of damages for personal wrongs (excepting in actions in which the Court shall find the damages to be under forty shillings sterling) the costs to be taxed as of the class to be determined by the final judgment unless ordered by final Judgment.						
9. On each opposition *afin de distraire*, *afin d'annuller*, *afin de conserver*, or other oppositions or Interventions not contested..	3	00	2	50	1	50
10. On all oppositions [excepting oppositions *afin de conserver*] and interventions, when contested, the same fees as in the original actions to which the same shall be incident.						
11. On oppositions *afin de conserver*, if contested, same fees as in Original Action for a like sum.	2	00	1	50	1	00
12. On *Saisie Arrêt*, after judgment uncontested.....						

by final Judgment.						
9. On each opposition *afin de distraire*, *afin d'annuller*, *afin de conserver*, or other oppositions or Interventions not contested..	3	00	2	50	1	50
10. On all oppositions [excepting oppositions *afin de conserver*] and interventions, when contested, the same fees as in the original actions to which the same shall be incident.						

11. On oppositions *afin de conserver*, if contested, same fees as in Original Action for a like sum.	2	00	1	50	1	00
12. On *Saisie-Arrêt*, after judgment uncontested						
13. If declaration of *Tiers-Saisie* be contested, same fees as in original action for a like sum.						
14. On suing out any writ of *Saisi Gagerie*, *Saisie Revendication* or *Saisie Arrêt* before judgment or on any special declaration required by the Court.—To Plaintiff's Attorney	2	00	1	50	1	00
	0	75	0	50	0	25
15. For each copy, more than one, of any declaration, petition, intervention, or opposition						
16. In all Incidental cross-demands, the same fees that are allowed in original actions for a like sum.						
17. For each plea required to be in writing ordered by the Court, including copy.—To the Defendant's Attorney	1	50	1	00	0	50
18. On each proceeding to take up the *instance* or to declare a judgment executory or for *contrainte par corps*, or in any cases of *Rebellion à Justice* or to set *Saisie Arrêt* aside on ground that allegations of affidavit are untrue.—To the Attorney prosecuting the same, if contested	4	00	3	00	2	00
	3	00	2	00	1	00
If uncontested	3	00	2	00	1	50
19 And to the Attorney resisting the application	3	00	2	00	1	50
20. On a *Commission Rogatoire* and on all proceedings relative thereto.—To the Attorney suing out the same	3	00	2	00	1	50
And to the Attorney of the opposite party	3	00	2	00	2	00
21. To the Attorney employed by either party to attend to the execution of such commission	2	00	1	50	1	50
22. On any demurrer maintained	1	00	0	75	0	50
When the Enquête in any contested case is continued party bound to proceed not being ready, to adverse party						

Quebec, 30th December 1868.

TO THE BAILIFFS.

SUPERIOR COURT AND CIRCUIT COURT. Appealable cases.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY. Appealable cases.	Sup. Court. £	s.	d.	Circuit Court. £	s.	d.
	For the service of any notice or other paper, upon an attorney as such, including return	For the service of any writ of subpœna or other writ or paper otherwise provided for, including return	0	1	0	0	1	3
	For the service of a writ of subpœna on each witness including return	For the service of any writ of summon and return	0	1	6	0	2	6
	For the service of a writ of summons or other writ or paper not otherwise provided for including return		0	2	6			
For the service of any writ or other document required by law to be served personally, including return			0	3	0	0	2	6
For all proceedings on the arrest of any person including return	when required		0	12	6	0	10	0
For the seizure of	Real estate							
or attachment of moveables including original *procès verbal* and copies for the *saisi* and for guardian	to moveables		0	15	0	0	12	6
	If more than one lot of land included in any seizure for each additional lot		0	2	6			
For every publication in both languages at the church door including *affiches* affixing same etc	not otherwise provided for		0	2	6	0	2	6

SUPERIOR COURT AND CIRCUIT COURT.	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY. Appealable cases.	Sup. Court. £	s.	d.	Circuit Court. £	s.	d.
	For the sale of real or personal property including *procès verbal* of sale and copy	For the sale of goods and chattels including *procès verbal* of sale and copy	0	12	6	0	7	6
	If more than one lot of land be sold under the same writ, for each additional lot sold		0	2	6			
For *procès verbal* of no goods	and no land		0	2	6	0	2	6
including copy if required			0	5	0	0	5	0
For a *procès* of *rebellion à justice* and copy								
For all services executing a Writ of possession, including procès verbal			0	12	6	0	10	0
For recors when required			0	3	9	0	2	0
If recors necessarily employed more than half a day at the rate of	5s per day	3s. 4d. per day						
For the appointment of a new guardian when legally required so to do, including *procès verbal*, copy etc.			0	5	0	0	5	0
	For the posting and publication of *exparte* notices for a Ratification of title including return		1	0	0			
	For the attendance on Jury Trials under the direction of the Sheriff *per diem* (when required.)		0	7	6			
In any case in which in conséquence of more than one person being interested in the property seized or sold an additional copy or copies of *procès verbal* is or are necessary, for each extra copy so required			0	2	6	0	2	0
	If in consequence of the quantity of goods to be seized or sold, a Bailliff is necessarily occupied more than one day, in making such seizure or sale the additionaf time, when certified by the sheriff, to be charged at the rate of twelve shillings and dispence per day		0	12	6			
If any paper to be prepared by a Bailiff	excepting *procès verbaux*							
necessarily contains more than 300 words, the additional to be charged at the rate of	of seizure of real estate							
per hundred words, in addition to the fees herein before allowed	five pence	four pence						
Mileage on the Service or Execution of a Writ or of process of any kind, at the rate of	one shilling and three pence	one shilling						
per mile, as heretofore without any further charge for mileage on any other process to be served on the same party then in the hands of the Bailiff, and which shall be or might have been served at the same time (whether such process shall have been sued out by the same party or by any other) and without any charge								

for mileage in returning, but exclusive of sums paid at

shall be or might have been served at the same time (whether such process shall have been sued out by the same party or by any other) and without any charge for mileage in returning, but exclusive of sums paid at Tollgates, Ferries and Bridges, No mileage to be allowed, unless the distance exceed one mile .....

NON APPEALABLE CASES.

	1st Class. Actions not exceeding £15, but above £10 curency.			2nd Class. Actions £10 or under but above £6 5s.			3rd Class. Actions £6 5s. or under.		
	£	s.	d.	£	s.	d.	£	s.	d.
Mileage on the service or execution of a writ or of Process af any kind at the rate of one shilling per mile, without any further charge for mileage on any other process to be served on the same party then in the hands of the Bailiff and which shall be or might have been served at the same time [whether such Process shall have been sued out by the same party or by any other, and withoutany charge for mileage in returning, but exclusive of sums paid at Toll-gates, Ferries and Bridges									
No mileage to be allowed unless the distance exceed one mile.									
For the Service Certificate or Return of such Writ or Process	0	1	3	0	1	3	0	1	3
For the Seizure of Goods and Chattels and all incidental trouble but exclusive of Mileage	0	7	6	0	5	0	0	5	0
For his *recors* (when required)	0	1	8	0	1	8	0	1	8
For the sale of Goods and Chattels exclusive of Mileage	0	7	6	0	5	0	0	5	0
For publishing the notices of sale	0	2	0	0	2	0	0	2	0
For the service of any Notice, and the Certificate and Return	0	1	0	0	1	0	0	1	0

QUEBEC, 30th December, 1868.

W. C. MEREDITH, CHIEF JUSTICE, S. C.
C. MONDELET, J.
E. SHORT, J. S. C. J.
A. POLETTE, J. C. S.
A. STUART,
J. A. BERTHELOT, J. C. S.
T. J. J. LORANGER, J. C. S.
L. V. SICOTTE, J. C. S.
F. G. JOHNSON, J. S. C.
T. TASCHEREAU, J. C. S.
Jos. N. BOSSÉ, J. C. S.
J. MAGUIRE, J. S. C.
F. W. TORRANCE, J. S. C.

Published in open Court, registered and entered at Quebec the 30th day of December, 1868.

(Signed,) FISET & BURROUGHS, P. S. C.